

03-0-0580

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-03-22
DATE FILED: 3-11-03

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **1187 Hosea L. Williams Drive, S.E. (fka 1187 Boulevard Drive, S.E.)** be changed from the **R-4A (Single-Family Residential)** District, to the **C-1 (Community Business)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **208** of the **15th** District of **DeKalb** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

C-3

LEGAL DESCRIPTION
COMMERCIAL REAL PROPERTY

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 208 of the 15th Land District, City of Atlanta, Dekalb County, Georgia and being Lot 1, 2 and 3 of Moreland Heights Subdivision (excepting off Lot 1 that portion condemned by the City of Atlanta for additional right of way of Moreland Avenue), said Lots 1, 2 and 3 being more particularly shown on a plat of survey prepared for Young Y. Yi, Gwinnett National Bank and Chicago Title Insurance Company by Gresham Planning & Development, Inc., Charles A. Marmelstein, Jr., Georgia Registered Land Surveyor, dated January 13, 1999, said lots being more particularly described in the aggregate in accordance with said survey, as follows:

BEGINNING at an iron pin set located at the point formed by the intersection of the southwesterly edge of the right of way of Boulevard Drive (having 50' right of way width) with the easterly edge of the right of way of Moreland Avenue (70' right of way width); RUNNING THENCE FROM THE POINT OR PLACE OF BEGINNING SO ESTABLISHED South 77 degrees, 13 minutes, 36 seconds East along the southwesterly edge of the right of way of Boulevard Drive, a distance of 140.04 feet to an iron pin found; running thence South 00 degrees, 43 minutes, 04 seconds West along the line dividing Lots 3 and 4, Moreland Heights Subdivision, a distance of 169.51 feet to an iron pin set; running thence North 77 degrees, 03 minutes, 02 seconds West, a distance of 140.00 feet to an iron pin set on the easterly edge of the right of way of Moreland Avenue; running thence North 00 degrees, 40 minutes, 28 seconds East along the easterly edge of Moreland Avenue, a distance of 169.10 feet to an iron pin set and THE TRUE POINT OR PLACE OF BEGINNING. Said property is improved property having situate thereon a Convenience Store and being known as 10 Moreland Avenue, Atlanta, Georgia.

2-03-22



EXHIBIT "A"

Less and except that portion of the
above described property already zoned
E-1 as of the filing of this application
(March 11, 2003).